

May 16, 2014

REGULAR MEETING AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
May 16, 2014

- I. CALL TO ORDER THE REGULAR OPEN MEETING AT 1:30 P.M. AT 607 EAST ADAMS STREET, SUITE 801, SPRINGFIELD, ILLINOIS 62701

- II. PRESENT

- III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD APRIL 18, 2014

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD APRIL 18, 2014?

- IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

MEMBERS OF THE PUBLIC ARE OFFERED AN OPPORTUNITY TO ADDRESS MEMBERS OF THE COMMISSION IN ACCORDANCE WITH THE OPEN MEETINGS ACT AND RULES OF THE CIVIL SERVICE COMMISSION.

V. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

A. Report on Exempt Positions from Central Management Services

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	141.....	18
Agriculture	341.....	19
Arts Council	17.....	2
Capitol Development Board.....	46.....	0
Central Management Services.....	1,452.....	114
Children and Family Services	2,651.....	51
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	364.....	68
Commerce Commission	74.....	0
Corrections.....	11,087.....	99
Criminal Justice Authority	55.....	5
Deaf and Hard of Hearing Comm.....	7.....	1
Developmental Disabilities Council.....	8.....	1
Emergency Management Agency.....	84.....	5
Employment Security.....	1,331.....	30
Environmental Protection Agency.....	792.....	17
Financial & Professional Regulation.....	439.....	45
Gaming Board	156.....	6
Guardianship and Advocacy	105.....	7
Healthcare and Family Services	2,108.....	25
Historic Preservation Agency.....	161.....	16
Human Rights Commission.....	15.....	2
Human Rights Department.....	142.....	9
Human Services	11,850.....	76
Illinois Torture Inquiry Relief Commission	6.....	1
Independent Tax Tribunal	1.....	0
Insurance	236.....	16
Investment Board	4.....	2
Juvenile Justice.....	1,023.....	22
Labor.....	87.....	11
Labor Relations Board Educational.....	11.....	2
Labor Relations Board State.....	19.....	2
Law Enforcement Training & Standards Bd.	18.....	2
Lottery.....	138.....	6
Military Affairs	121.....	3
Natural Resources	1,167.....	30
Pollution Control Board	21.....	2
Prisoner Review Board.....	17.....	0
Property Tax Appeal Board.....	33.....	1
Public Health.....	1,134.....	42
Racing Board.....	2.....	1
Revenue.....	1,811.....	54
State Fire Marshal	134.....	12
State Police.....	1,117.....	6
State Police Merit Board	4.....	2
State Retirement Systems.....	102.....	2
Transportation	2,326.....	0
Veterans' Affairs	1,337.....	9
Workers' Compensation Commission.....	131.....	11
TOTALS	44,430.....	855

B. Governing Rule – Section 1.142 Jurisdiction B Exemptions

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
 - 1) The amount and scope of principal policy making authority;
 - 2) The amount and scope of principal policy administering authority;
 - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
 - 4) The capability to bind the agency, board or commission to a course of action;
 - 5) The nature of the program for which the position has principal policy responsibility;
 - 6) The placement of the position on the organizational chart of the agency, board or commission;
 - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

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C. Illinois Department of Healthcare and Family Services – Proposed Exemption (continued from March 21, 2014 and April 18, 2014)

Position Number	40070-33-00-900-00-21
Position Title	Senior Public Service Administrator
Bureau/Division	Office of the Director
Functional Title	Deputy Director for New Initiatives
Incumbent	Vacant
Supervisor	Director
Location	Cook County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

D. Illinois Department of Central Management Services – Proposed Exemption

Position Number	40070-37-01-300-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Bureau of Agency Services/Surplus Property
Functional Title	Administrator, Division of Surplus Property Control
Incumbent	Curtis Howard
Supervisor	Deputy Director-Agency Services, who reports to the Assistant Director who reports to the Director.
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

E. Illinois State Police – Proposed Exemption

Position Number	13851-21-00-700-30-01 (exemption expires June 20, 2014)
Position Title	Executive I
Bureau/Division	Office of the Director/Governmental Affairs
Functional Title	Assistant legislative Liaison
Incumbent	Aaron D. Harris
Supervisor	Chief, Governmental Affairs, who reports to the Director.
Location	Cook County

CMS Recommendation: “The position continues to meet the responsibility and reporting criteria of the Commission Rules and I recommend continuance of the 4d(3) exemption.”

WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?

C: Deputy Director for New Initiatives, Healthcare & Family Services

D: Administrator, Division of Surplus Property Control, Central Management Services

E: Assistant Legislative Liaison, State Police

F. Proposed Rescissions in accordance with Section 1.142(b) of the Rules of the Civil Service Commission

On April 15, 2014 the Executive Director sent notice to the Director of Central Management Services of the proposed rescissions of 43 current 4d(3) exempt positions which may no longer meet the requirements for exemption. Positions with likely outdated position descriptions were included. Each affected agency director was also provided with a courtesy notice of this proposed action. After resolving a number of issues with several of the proposed rescissions, the following is a list of the positions that will now be put forth before the Commission for formal consideration of rescission of their exemption. Section 1.142(b) also provides that withdrawal of exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status positions which will ensure responsive and accountable administrative control of the programs of the agency.

Item	Position Number	Agency	Functional Title
1	40070-42-10-600-00-01	CEO	Regional Manager (West Central Region)
2	00502-29-01-700-51-01	DOC	Legislative Liaison
3	40070-33-00-800-00-21	HFS	Long Term Care
4	40070-48-00-100-00-01	HPA	CFO
5	40070-48-50-100-00-01	HPA	Security
6	40070-48-52-000-00-01	HPA	Mgr. ALPLM Research & Collections
7	13852-10-19-040-00-02	DHS	Legislative Liaison
8	40070-12-00-200-00-01	DNR	Deputy Director
9	40070-20-06-205-00-51	DPH	Regional Health Officer - Marion
10	00501-25-04-000-02-01	DOR	Legislative Liaison
11	40070-25-45-000-00-01	DOR	Human Resources Director
12	37015-50-50-100-00-84	SFM	Fire Safety Compliance Manager

WILL THE COMMISSION RESCIND THE EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?

- F1: Regional Manager-West Central Region (CEO)**
- F2: Legislative Liaison (DOC)**
- F3: Long Term Care (HFS)**
- F4: Chief Financial Officer (HPA)**
- F5: Security (HPA)**
- F6: Mgr. ALPLM Research & Collections (HPA)**
- F7: Legislative Liaison (DHS)**
- F8: Deputy Director (DNR)**
- F9: Regional Health Officer – Marion (DPH)**
- F10: Legislative Liaison (DOR)**
- F11: Human Resources Director (DOR)**
- F12: Fire Safety Compliance Manager (SFM)**

VI. CLASS SPECIFICATIONS

The following class titles were submitted for revision by the Director of the Illinois Department of Central Management Services (CMS):

- A. Financial Institutions Examiner Trainee
 - Bank Examiner I
 - Bank Examiner II
 - Bank Examiner III

CMS Analysis: “The Department of Financial and Professional Regulations requested revisions of the Bank Examiner I class specification. Changes in the Education and Experience require successful completion of the Financial Institutions Examiner Trainee program.

Also revised were the Bank Examiner II, Bank Examiner III and Financial Institutions Examiner Trainee (FIET). There is no change in the Education and Experience of the Bank Examiner II. The Bank Examiner III requires three years of professional accounting, banking or auditing experience. The FIET requires possession of a bachelor’s degree in accounting and/or finance, economics, banking or a master’s degree in business administration.

The Bank Examiner classes were last updated on 9-1-86 and FIET on July 1, 2004. The modifications include requirement for a valid driver’s license with access to a vehicle for travel, knowledge of word processing and spreadsheet software, and knowledge of electronic software. Other revisions are underlined or struck through in each class.”

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- B. Rehabilitation Counselor
Rehabilitation Counselor Senior

CMS Classification Analysis: “This three-class series was recently revised, effective July 1, 2013. A Knowledges, Skills, and Abilities (KSA) requirement included in the Rehabilitation Counselor Trainee and Rehabilitation Counselor class specifications at that time states:

‘Requires ability to travel to meet with customers...’

The Rehabilitation Counselor Senior class specification states:

‘Requires ability to meet with customers...’

For clarification and consistency, the Rehabilitation Counselor Senior class specification is being changed to:

‘Requires ability to travel to meet with customers...’

Thus, all three class specifications will have the same language conveying the same required ability.

Additionally, in the Rehabilitation Counselor class specification Desirable Requirements section, the following passage was revised for clarification purposes:

‘All options require one year of professional in rehabilitation counseling or a closely related field; ~~or, such as could be gained from~~ completion of an agency-sponsored training program, ~~or in a closely related field.~~’”

WILL THE COMMISSION APPROVE THE REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE ON JUNE 1, 2014?

- A. **Financial Institutions Examiner Trainee**
 - Bank Examiner I**
 - Bank Examiner II**
 - Bank Examiner III**

- B. **Rehabilitation Counselor**
 - Rehabilitation Counselor Senior**

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?

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VII. MOTION TO CLOSE A PORTION OF THE MEETING

PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION CLOSE A PORTION OF THE MEETING TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?

VIII. RECONVENE THE REGULAR OPEN MEETING

IX. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

Agency	3/31/14	4/30/14	4/30/13
Aging	1	2	0
Arts Council	1	0	1
Central Management Services	0	8	0
Children and Family Services	1	2	4
Corrections	0	1	0
Employment Security	0	0	0
Healthcare and Family Services	3	5	7
Human Services	3	0	0
Insurance	0	1	0
Juvenile Justice	0	1	0
Natural Resources	0	0	1
Property Tax Appeal Board	0	0	2
Public Health	0	0	1
Revenue	1	2	1
State Police Merit Board	0	0	1
State Retirement Systems	4	1	0
Transportation	6	2	2
Veterans' Affairs	1	3	2
Totals	21	28	22

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X. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS

DA-17-14

Employee	Ramiro Hernandez	Appeal Date	01/03/14
Agency	Corrections	Decision Date	05/02/14
Appeal Type	Discharge	Proposal for Decision	Appeal upheld; employee to be reinstated.
ALJ	Daniel Stralka		

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR
DECISION IN THE ABOVE MATTER?**

S-19-14

Employee	Sandra R. Davis	Appeal Date	01/09/14
Agency	Child & Family Svcs.	Decision Date	04/24/14
Appeal Type	Suspension	Proposal for Decision	Suspension reduced to 14 days from 27 days.
ALJ	Andrew Barris		

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR
DECISION IN THE ABOVE MATTER?**

RV-12-14

Employee	Michele Lashmet	Appeal Date	12/12/13
Agency	Central Mgmt. Svcs.	Decision Date	04/24/14
Appeal Type	Rule Violation	Proposal for Decision	No violation.
ALJ	Andrew Barris		

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR
DECISION IN THE ABOVE MATTER?**

XI. APPEALS DISMISSED WITH NO DECISIONS ON THE MERITS

DA-28-14

Employee	Keith E. Ross	Appeal Date	2/28/14
Agency	Juvenile Justice	Decision Date	4/15/14
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.
ALJ	Andrew Barris		

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DA-41-14

Employee	Jo Bee Harper	Appeal Date	4/24/14
Agency	Human Services	Decision Date	4/28/14
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.
ALJ	Andrew Barris		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISIONS IN THE ABOVE MATTERS?

XII. STAFF REPORT

XIII. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

The next regular open meeting is to be held on Friday, June 20, 2014 at 11:00 a.m. in the Commission's Chicago office.

XIV. MOTION TO ADJOURN